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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MARC SPITZER  
MIKE GLEASON  
KRISTIN K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
TACNA WATER MANAGEMENT COMPANY  
FOR AN EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
WATER SERVICE TO VARIOUS PARTS OF  
YUMA COUNTY, ARIZONA.

DOCKET NO. W-01344A-04-0815

PROCEDURAL ORDER

**BY THE COMMISSION:**

On November 10, 2004, Tacna Water Management Company ("Company" or "Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for an extension of the territory under its existing Certificate of Convenience and Necessity ("Certificate").

On December 7, 2004, the Commission's Utilities Division ("Staff") docketed a letter notifying the Company that its application was not sufficient and indicating the additional information required.

The Company made additional filings in this docket on December 7, 2004, February 9, 2005, September 9, 2005, and October 11, 2005.

On October 31, 2005, Staff docketed a letter notifying the Company that its application is sufficient.

Pursuant to A.A.C. R14-3-101, the Commission now issues this Procedural Order to govern the preparation and conduct of this proceeding.

IT IS THEREFORE ORDERED that a **hearing** shall commence on **December 20, 2005 at 2:00 p.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the Staff Report and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before 4:00 p.m. on December 1, 2005.

IT IS FURTHER ORDERED that Applicant shall prepare and file any objections to the Staff Report and associated exhibits on or before 4:00 p.m. on December 16, 2005.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before December 9, 2005.

IT IS FURTHER ORDERED that any objections to intervention requests shall be filed by 4:00 p.m. on December 16, 2005.

IT IS FURTHER ORDERED that Applicant shall provide public notice of the hearing in this matter, in the following form and style, with the heading in no less than 12 point bold type and the body in no less than 10 point regular type:

**PUBLIC NOTICE OF HEARING ON THE APPLICATION OF  
TACNA WATER MANAGEMENT COMPANY FOR AN EXTENSION OF ITS  
CERTIFICATE OF CONVENIENCE AND NECESSITY  
(W-01344A-04-0815)**

On November 10, 2004, Tacna Water Management Company ("Applicant") filed an application for an extension of its existing Certificate of Convenience and Necessity in Yuma County, Arizona. If the application is granted, Applicant would be the exclusive provider of water utility service to the requested area, and would be required by the Commission to provide service under rates and charges and terms and conditions established by the Commission.

The application, the report of the Commission's Staff, and Applicant's response to the Staff's report will be available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and at the offices of the Applicant, [Applicant insert address].

The Commission will hold a hearing on this matter beginning at **2:00 p.m. on December 20, 2005**, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Public comment will be taken on the first day of the hearing.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to the Applicant or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired.
2. A short statement of your interest in the proceeding (e.g., a customer of Applicant, a shareholder of the Applicant, etc.).
3. A statement certifying that a copy of your motion to intervene has been mailed to Applicant or its counsel and to all parties of record in the case.

1 Arizona Administrative Code R14-3-105 governs the granting of intervention, except that  
2 all motions to intervene must be filed on or before December 9, 2005. The granting of  
3 intervention, among other things, will entitle an intervenor to present sworn evidence at  
4 hearing and to cross-examine other witnesses, and to be mailed copies of all filings made  
5 in the case. You do not need to intervene in order to appear at the hearing and make a  
6 statement for the record, or to file written comments in the record of the case.

7 If you have any questions or concerns about this application or have any objections to its  
8 approval, or wish to make a statement in support of it, you may write the Consumer  
9 Services Section of the Commission at 1200 W. Washington St., Phoenix, AZ 85007,  
10 call 1-800-222-7000, or appear at the hearing and provide comment.

11 The Commission does not discriminate on the basis of disability in admission to its public  
12 meetings. Persons with a disability may request a reasonable accommodation such as a  
13 sign language interpreter, as well as request this document in an alternative format, by  
14 contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-3931, E-mail  
15 lhogan@azcc.gov. Requests should be made as early as possible to allow time to arrange  
16 the accommodation.

17 IT IS FURTHER ORDERED that Applicant shall cause the above notice to be published at  
18 least once in a newspaper of general circulation in its service territory and the requested extension  
19 area, with publication to be completed no later than November 23, 2005.

20 IT IS FURTHER ORDERED that Applicant shall cause a copy of this Procedural Order to be  
21 mailed to the following neighboring water utility companies: Antelope Water Company, Mohawk  
22 Utility Company, and Citrus Park Water Company, with mailing to be completed no later than  
23 November 16, 2005.

24 IT IS FURTHER ORDERED that Applicant shall file certification of publication and mailing  
25 as soon as practicable after the publication and mailing have been completed, but no later than  
26 December 5, 2005.

27 IT IS FURTHER ORDERED that notice shall be deemed complete upon publication of same,  
28 notwithstanding the failure of an individual to read or receive the notice.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
Communications) applies to this proceeding and shall remain in effect until the Commission's  
Decision in this matter is final and non-appealable.


IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

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...

1 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
3 ruling at hearing.

4 DATED this 2d day of November, 2005

5  
6  
7   
8 TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 2 day of November, 2005 to:

11 Don Kelland  
12 Tacna Water Management Company  
2993 South Arizona Avenue  
Yuma, AZ 85364

13 Christopher Kempley, Chief Counsel  
14 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

15 Ernest Johnson, Director  
16 Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

17 ARIZONA REPORTING SERVICE, INC.  
18 2627 N. Third Street, Suite Three  
19 Phoenix, Arizona 85004-1104  
20

21  
22 By: 

23 Molly Johnson  
24 Secretary to Teena Wolfe  
25  
26  
27  
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